

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v)	2:05-CR-122-T
)	
MATTHEW LEO KELLEY)	

PRETRIAL CONFERENCE ORDER

Appearing at the initial pretrial conference on August 11, 2005, before the undersigned Magistrate Judge, were Richard Keith, defense counsel, and Assistant United States Attorney Kent Brunson, government counsel. After due consideration of representations of counsel and other relevant matters, it is **ORDERED** as follows:

1. **Jury selection** is set for **October 12, 2005**. The trial of this case is set for the **trial term commencing on October 12, 2005**, before United States District Judge Myron H. Thompson and is expected to last two trial days.

2. There is one motion pending: *Motion for Relief from Prejudicial Joinder* (Doc. 39, filed August 8, 2005).

3. Proposed **voir dire questions** shall be filed on or before **October 5, 2005**. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All **motions in limine** shall be filed on or before **October 5, 2005**. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. **Proposed jury instructions** shall be filed on or before **October 5, 2005**.

6. The last day on which the court will entertain a **plea pursuant to Rule 11(c)(1)(A) or (C)** plea is **October 5, 2005**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on October 5, 2005. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on October 5, 2005, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 11th day of August, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE